

Registered No. HSE-49/2009-2011.

[Price : Rs. 1-20 Paise.



ఆంధ్ర ప్రదేశ్ రాజ పత్రము
RULES SUPPLEMENT TO PART - I
EXTRAORDINARY
OF
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

No. 9] HYDERABAD, THURSDAY, FEBRUARY 11, 2010.

NOTIFICATIONS BY GOVERNMENT

—x—

**MUNICIPAL ADMINISTRATION & URBAN
DEVELOPMENT DEPARTMENT**

(*UBS*)

THE GREATER HYDERABAD MUNICIPAL CORPORATION
(CONSTITUTION AND CHOOSING OF MEMBERS TO THE
STANDING COMMITTEE) RULES, 2010.

**[G.O. Ms.No. 59,Municipal Administration & urban Development
(USB), 10th February, 2010.]**

In exercise of the powers conferred by sub-section(1) of section 585 read with sub-section (1) of section 93 of the Greater Hyderabad Municipal Corporation Act,1955 (Andhra Pradesh Act No. II of 1956), and in supersession of Bye-laws issued for appointment of members to the Standing Committee in Municipal Corporation of Hyderabad in G.O. Ms. No. 197 MA dated 24-5-1973, the Governor of Andhra Pradesh makes the following Rules for constitution, and choosing of members to the Standing Committee in Greater Hyderabad Municipal Corporation:

[1]

G. 883/1.

Rules**CHAPTER – I : Preliminary**

- 1. Short title and commencement:-** (1) These rules may be called the Greater Hyderabad Municipal Corporation (Constitution and choosin of members to the Standing Committee) Rules, 2010.
(2) They shall come into force from the date of publication in the Andhra Pradesh Gazette.
- 2. Definitions:-** In these Rules, unless the context otherwise requires:
 - (1)“Act” means the Greater Hyderabad Municipal Corporation Act, 1955;
 - (2)“Government” means the Government of Andhra Pradesh;
 - (3)“Commissioner” means Commissioner appointed by the Government under section 104 of the Act;
 - (4)“Corporation” means Municipal Corporation established under section 3 of the Act.
 - (5)“Form” means form appended to the Rules;
 - (6)“Member” means elected member of the Corporation;
 - (7)“Standing Committee” means Standing Committee constituted under sub-section (1) of section 93 of the Act;
 - (8)Words used but not defined in the rules shall have the meaning assigned to them in the Act.

Chapter – II : Standing Committee

- 3. Constitution of Standing Committee:-**
 - (1)The Standing Committee for the Corporation shall be constituted by the Government, by an order, within three months from the date appointed for the first meeting of the Corporation under clause (b) of section 88 of the Act subject to the condition that in respect of a Standing Committee functioning at the time of commencement of Andhra Pradesh Municipal Laws (Second Amendment) Act, 2008 (Andhra Pradesh Act No. 7 of 2008), a new Standing Committee shall be constituted after expiry of the term of the members of the Standing Committee holding office at that time.
 - (2)The Standing Committee shall consist of not less than five and not more than fifteen members at the rate of one member for ten wards.

(3)After working out the number of members of Standing Committee based on sub-rule (2) if the remainder of wards is less than five wards it shall be ignored and if the remainder of wards is five or more, one additional member shall be allowed to the Standing Committee.

(4)The members of the Standing Committee shall be chosen by the elected members of the Corporation from among themselves, by election as prescribed in these Rules within three months from the date of orders issued by the Government constituting the Standing Committee.

(5)The members of the Standing Committee shall hold office for a period of one year from the date of election subject to first proviso under clause (b) sub-section (1) of section 93 of the Act.

4. **Preparation of voters list:-**The Commissioner shall prepare a voters list which shall consist of the names of all elected members of the Municipal Corporation in Form – I and publish it on the notice board of the Municipal Corporation office.
5. **Entitlement to multiple votes:-** Every person whose name is included in the voters list is entitled to vote at the election of the members of the Standing Committee and he / she shall have as many votes as there are members to be elected to the Standing Committee.
6. **Publication of election notice:-**The Commissioner shall publish a election notice in Form – II on the notice board of Municipal Corporation calling upon voters i.e. elected members of the Corporation to elect the members of the Standing Committee. The Commissioner shall serve the election notice on elected members of the Corporation duly obtaining proper acknowledgement.
7. **Contents of election notice:-**
The election notice shall state:-
 - (a)the number of members to be elected to the Standing Committee;
 - (b)the place, time and the last date, which shall not be less than seven days from the date of publication of the notice for filing nominations;
 - (c)the date of scrutiny of nominations and publication of the list of valid nominations, whether it is a working day or public holiday;
 - (d) last day for withdrawal of nominations and the date for publication of the list of contesting candidates, which shall be the third day after the date of scrutiny of nominations, whether it is a working day or public holiday.

(e) The date, which shall not be less than three clear days from the date of publication of the list of contesting candidates, on which and the hours during which, poll shall, if necessary, be taken and the date and time for counting of votes and declaration of result of the poll.

8. Filing of nomination:- (1) On or before the date and time fixed under clause (b) of rule 7, each candidate shall, either in person or by his proposer, deliver to the Commissioner or an officer authorized by the Commissioner a nomination paper completed in Form-III and signed by the candidate and by the proposer, who shall be a voter i.e. elected member of the Corporation.

(2) The same voter may propose as many candidates as there are seats to be filled up in the Standing Committee, but each candidate shall be nominated by a separate nomination paper.

(3) If any voter has proposed larger number of candidates than the seats to be filled, only such of the nominations, which have been first received upto the number of seats to be filled in shall be deemed to have been accepted.

(4) The Commissioner or an officer authorized by the Commissioner shall, on receiving a nomination paper, enter its serial number, the date on which and the hour at which it has been received by him and shall verify the name and number of the candidate and his proposer in the voters list.

(5) Receipt for nomination paper and notice of scrutiny shall be given in Form-IV.

(6) No nominations shall be received after the date and time fixed for the purpose under clause (b) of rule 7.

9. Publication of list of nominations: As soon as may be after the time fixed for filing of nominations, the Commissioner or an officer authorized by the Commissioner shall publish in Form-V a list of nominations received with a notice that the nomination papers will be scrutinized on the date fixed at the place and hour specified in the notice under clause (c) of rule 7.

10. Scrutiny of nominations: (1) On the date fixed for the scrutiny of nominations, the candidates may attend at such time and place as the Commissioner may appoint and the Commissioner shall give them all reasonable facilities for examining the nomination papers of all candidates.

(2) The Commissioner shall then examine the nomination papers and shall decide all the objections which may be made at the time of scrutiny of any nomination and may, either on such objection or on his own motion after such summary enquiry, if any, as he deems necessary reject any nomination duly recording the reasons for such rejection, which shall be supplied free of cost to the candidate whose nomination is rejected.

(3) On the same day immediately after the scrutiny of the nomination papers, the Commissioner shall prepare a list of valid nominations in Form –VI and publish it on the notice board of the Corporation.

11. Withdrawal of Nomination:- Any candidate may withdraw his nomination by notice in writing in Form- VII signed by him and delivered by him in person or by his proposer to the Commissioner or an officer authorized by the Commissioner before the date fixed under clause (d) of rule 7 and on receipt of such notice the Commissioner or an officer authorized by the Commissioner shall note thereon the date and the time at which, it was delivered to him and by whom it was delivered.

12. Publication of list of contesting candidates:- Immediately after the expiry of the period for withdrawal of the candidatures under rule 11, the Commissioner shall prepare a list of contesting candidates in Telugu alphabetical order i.e., candidates whose nominations are found to be valid and who have not withdrawn their candidature and publish it in Form-VIII on the notice board of the Corporation.

13. Election:- (1) If the number of contesting candidates is equal to or less than the number of seats to be filled, the Commissioner shall declare all such candidates to be duly elected.

(2) If the number of contesting candidates exceeds the number of seats to be filled, poll shall be taken by secret ballot.

14. Form of the Ballot Paper: - (1) Every ballot paper to be used at an election shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in Form-IX.

(2) The ballot paper shall contain the names of the candidates in the same order in which they appear in the list of contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner

(4) The ballot paper shall be serially numbered and the counterfoil thereof shall have on their faces the same serial numbers as those contained on the faces of the ballot paper

15. Ballot Box:- Every ballot box shall be of such design as may be decided by the Commissioner.

16. Appointment of Presiding Officer and Polling Officer : (1) The Commissioner shall provide a polling station for conduct of election to the members of the Standing Committee. The Commissioner shall appoint a Presiding Officer for the polling station and as many Polling Officers as may be necessary for the purpose of conducting election.

(2) Subject to the control and supervision of Commissioner, the Presiding Officer and the Polling Officers shall perform such functions and shall discharge such duties as are laid down herein after in these rules.

17. Arrangements at polling station: (1) There shall be displayed prominently outside the polling station:-

- (a) the number of members to be elected;
- (b) list of voters i.e. elected members of the Corporation; and
- (c) a copy of the list of contesting candidates

(2) The Commissioner shall provide for each polling station:-

- (a) as many ballot boxes as may be necessary;
- (b) one or more voting compartments;
- (c) sufficient number of ballot papers; and a list of voters; and
- (d) other accessories and equipment as may be necessary for conducting a poll.

18. Preservation of order at polling station: (1) The Presiding Officer shall not allow any unauthorized person to enter into the polling station; besides the voters, public servants on duty in connection with election shall also be admitted to the polling station at any time.

(2) The Presiding Officer shall also regulate movement of voters for peaceful conduct of poll.

(3) The Presiding Officer shall, immediately before the poll, demonstrate to all persons present at the polling station that the ballot box is empty and then close, seal and secure the ballot box and keep it in view of all persons present in the polling station.

19. Issue of ballot papers to voters:-(1) Every ballot paper before it is issued to a voter and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the Commissioner may direct, and every ballot paper, before it is issued shall be signed in full on its back by the Presiding Officer.

(2) At the time of issuing a ballot paper to a voter, the Presiding Officer shall –

- (a) record on its counterfoil the electoral roll number of the voter as entered in the voters list;
- (b) obtain the signature or thumb impression of the voter on the said counterfoil; and
- (c) mark the name of the voter in the voters list to indicate that a ballot paper has been issued to him, without however, recording therein serial number of the ballot paper issued to the voter:

Provided that no ballot paper shall be delivered to a voter unless he has put his signature or thumb impression on the counterfoil of that ballot paper

20. Voting procedure: -(1) The voter, on receiving the ballot paper shall forthwith –

- (a) proceed to one of the voting compartments;
- (b) there make a mark on the ballot paper with the instrument supplied for the purpose on or near the names of the candidates for whom he intends to vote;
- (c) fold the ballot paper so as to conceal his vote;
- (d) insert the folded ballot paper into the ballot box; and
- (e) quit the polling station.

(2) If owing to blindness or other physical infirmity, a voter is unable to read the names of the candidates on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the voter to take with him a companion of not less than 18 years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box.

21. Spoilt and returned ballot papers: - The voter who has inadvertently dealt with a ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the Presiding Officer and

on satisfying him of the inadvertence be given another ballot paper, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked "spoilt: cancelled" by the Presiding Officer. If a voter after obtaining a ballot paper decides not to use it, he shall return the same to the Presiding Officer and the same shall be marked as "Returned: cancelled" by the Presiding Officer.

22. Closing of poll: - The Presiding Officer shall close a polling station at the hour fixed in that behalf and shall not thereafter admit any voter into the polling station.

23. Ballot paper account: (1) As soon as may be after the close of poll, the Presiding Officer shall prepare a ballot paper account in Form-X.

(2) A copy of ballot paper account may be supplied to the candidates on request.

24. Counting of votes:- (1) After completion of the poll, the Commissioner, in the presence of the candidates present shall open the ballot box and count the number of ballot papers taken out there from.

(2) The Commissioner shall reject a ballot paper:-

- (a) if it bears any mark or writing by which the voter can be identified; or
- (b) if no vote is recorded thereon; or
- (c) If votes are given in favour of candidates more than the seats to be filled in;
- (d) If the mark indicating the vote thereon is placed in such a manner as to make it doubtful to which candidate the vote has been given; or
- (e) If it is spurious ballot paper; or
- (f) if it does not bear the signature of the Presiding Officer.

Provided that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

(3) Before rejecting any ballot paper under sub-rule (2) the Commissioner shall allow each contesting candidate present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper

(4) The Commissioner shall endorse on every ballot paper which he rejects the word "Rejected" and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp and shall initial such endorsement

- 25. Announcement of the result of counting: -** After completion of the counting, the Commissioner shall record the total number of votes polled by each candidate in descending order in Form-XI and announce the same.
- 26. Re-count of Votes:** (1) After such announcement has been made, as mentioned in rule 25, the contesting candidate may apply in writing to the Commissioner to recount the votes either wholly or in part stating the grounds on which the demand for recount is made. On such an application being made, the Commissioner shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous or unreasonable.
- (2) When a recount of votes is made under sub-rule (1), the Commissioner shall amend the statement referred to in rule 25 to the extent necessary after such recount and announce the amendment so made by him.
- 27. Declaration of results: -** (1) After completion of the counting or recounting of votes, as the case may be, under rules 25 and 26 the Commissioner shall prepare list of candidate with votes polled by them in descending order. The candidates who have secured highest number of votes in descending order to the extent of number of seats shall be declared to have been elected as members of Standing Committee in Form-XII and it shall be signed by the Commissioner.
- (2) The Commissioner shall affix a copy of Form – XII on the notice board of the Corporation apart from handing over a signed copy thereof to each of the member declared elected, the receipt of which shall be acknowledged by such member.
- 28. Procedure at election when equality of votes exists:-** In the election, when an equality of votes is found between any two or more candidates and the addition of one vote will entitle any of the candidates to be declared elected, the Commissioner shall, after intimation to the candidates, forthwith decide between those candidates, by lot, in such manner as he may determine and proceed as if the candidate on whom the lot falls had received an additional vote.

- 29. Casual Vacancies:** The provisions for the election of members of Standing Committee shall *mutatis mutandis* be applicable for the purpose of filling up of casual vacancies in the office of members of the Standing Committee.

Provided that a member elected in a casual vacancy shall hold office during the residuary period of tenure of Standing Committee.

Provided further that no casual vacancy occurred within three months before the date on which the term of Standing Committee expires shall be filled in.

- 30. Custody and Destruction of Voting Papers:** (1) The Commissioner shall keep in safe custody and seal all papers relating to the elections.
(2) On the expiry of three months from the date of publication of the names of the elected members of the Standing Committee all the papers relating to the election shall be destroyed.

- 31.** These rules shall extend to and apply also to Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation and all Corporations constituted under the provisions of Andhra Pradesh Municipal Corporations Act, 1994.

PUSHPA SUBRAHMANYAM,
Principal Secretary to
Government & Commissioner, UPA.

ANNEXURES**FORM – I
(See rule: 4)
VOTERS LIST****Election to Standing Committee, _____ Municipal Corporation**

Sl. No.	Name of the voter i.e. elected member	Ward No.
1	2	3

Place:

Signature of the Commissioner

Name

Date:

(See rule: 6)

Election to Standing Committee, _____ Municipal Corporation

Dated:

Whereas the Government of Andhra Pradesh by G.O.Ms. No____ dated _____ have issued orders constituting a Standing Committee for _____ Municipal Corporation with _____ members.

Now, therefore, I, the Commissioner _____ Municipal Corporation hereby call upon the voters whose names appear in the voters list published under rule 4 of the rules issued in G. O. Ms. No. _____ dated _____ to elect the members of the Standing Committee of the _____ Municipal Corporation according to the programme appended and as per the rules issued in the aforesaid G.O.

Dated:

Signature of the Commissioner

Note:- (1)The total number of members to be elected to the Standing Committee is _____

(2) Every voter shall have as many votes as there are members to be elected to the Standing Committee.

PROGARMME OF ELECTION:

- 1) Date of Publication of Election notice:
- 2) Dates on which nominations can be filed From ____20__
before the Commissioner or officer To ____ 20__
authorized by the Commissioner: (Both days inclusive
from 11.00 a.m. to 3.00 p.m.)
- 3) Place at which nominations can be filed: Office of the _____
Municipal Corporation
- 4) Date of publication of the list of nominations received:
- 5) Date and the time during which the
nominations will be taken up for scrutiny by the Commissioner.

6) Date of publication of the list of valid nominations:

7) Date and time upto which nominations can be withdrawn:

8) Date of publication of the list of contesting candidates:

9) Date and time of poll

10) Place of poll

11) Counting of votes }

Office of the _____
Municipal Corporation

12) Declaration of result of poll

Signature of Commissioner

F O R M – III

(See rule: 8)

NOMINATION PAPER

Election to Standing Committee, _____ Municipal Corporation

1. Full Name of the candidate.
2. Ward No.
3. Father's / Husband's Name
4. Age
5. Sex
6. Occupation and address

7. Full Name of proposer
8. Number of proposer in the voters list
9. Signature of the proposer.

CANDIDATE's DECLARATION

I declare that I am willing to stand for the election.

Dated20__

Signature of Candidate

**Certificate of delivery of nomination by Commissioner or an officer
authorized by the Commissioner**

Serial No.

This nomination paper was delivered to me by Sri
candidate / proposer* at (time) Date.

Signature of the Commissioner

Instruction: Nomination papers which are presented to the Commissioner
after the expiry of the appointed date and time shall not be received.

*strike off whichever is inapplicable

Form – IV**(See rule: 8)****Receipt for nomination paper and notice of scrutiny**

(To be handed over to the person presenting the nomination paper)

Serial number of nomination paper _____

The nomination paper of Sri/Smt/Kum _____
a candidate for the election to the office of the member of the Standing
Committee, _____ Municipal Corporation was delivered to me at my
office at _____ (hour) on _____ (date) by the *candidate / proposer.

All nomination papers will be taken up for scrutiny at _____ (hour)
on _____ (date) at _____ (Place).

Commissioner

* Strike off whichever is inapplicable

FORM –V**[See rule: 9]****Election to Standing Committee, _____ Municipal Corporation**List of Nominations received for Standing Committee _____
Municipal Corporation

Sl. No.	Name of Candidate	Name of Father / Husband	Sex	Serial Number	Name of in proposer the Voters List
1	2	3	4	5	6

The nomination papers will be taken up for scrutiny at _____ A.M. /
P.M the _____ of _____ 20____(year) at _____
(place)

Signature of the Commissioner

FORM –VI

[See rule: 10]

LIST OF VALIDILY NOMINATED CANDIDATES

Election to Standing Committee, _____ Municipal Corporation

Sl. No	Name of Candidate	Sex	Address
1	2	3	4

Dated ____ 20__.

Signature of the Commissioner

FORM –VII

[See rule 11]

NOTICE OF WITHDRAWAL OF CANDIDATURE

Election to Standing Committee, _____ Municipal Corporation

To,

The Commissioner,

_____ Municipal Corporation.

I, a candidate validly nominated at the above election do hereby give notice that I withdraw my candidature.

Place.....

Date.....

Signature of validly nominated candidate

This notice was delivered to me at my office at
(hour) the(date) by(name) the
*candidate / proposer

Date.....

Commissioner

Receipt for Notice of Withdrawal

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by Sri/Smt./Kum.
a validly nominated candidate at the election to the Standing Committee
was delivered to me by Sri/Smt./Kum. the
*candidate / the candidates proposer who has been authorized in writing by
the candidate to deliver it at my office at (hour) on
..... (date).

Commissioner

*strike off whichever is inapplicable

FORM –VIII**[See rule 12]****LIST OF CONTESTING CANDIDATES****Election to Standing Committee, _____ Municipal Corporation**

Sl. No	Name of Candidate	Sex	Address
1	2	3	4

NOTE: The poll shall be taken, if necessary, on20__(year)
between..... and (hours) at the polling station
already notified.

Dated _____ 20__

Signature of the Commissioner

Form IX**(See rule 14)****BALLOT PAPER****Election to Standing Committee, _____ Municipal Corporation**

Counter foil Ballot paper No.	Serial Number in Voters list	Voters signature or thumb impression

Form IX

(See rule 14)

BALLOT PAPER**Election to Standing Committee, _____ Municipal Corporation**

Foil Ballot paper No.		
Sl. No.	Candidate's Name	Voter's mark
1	2	3
1		
2		
3		
4		

Note:-

Please read this carefully before recording your vote (s).

1. The number of seats to be filled up is _____
2. You have as many votes as there are seats to be filled up.
3. Each vote is to be shown by cross mark "X"

Form – X**[See rule 23]****Ballot Paper Account****Election to the Standing Committee, _____ Municipal Corporation**

	<u>Serial No.s</u>		Total No.
	From	To	
1. Ballot papers received			
2. Ballot papers unused(i.e. not issued to voters)			
*3. Ballot papers used at polling station (1-2)			_____
*4. Ballot papers used at the polling station but not inserted into the ballot box, on being cancelled			_____
*5. Ballot papers to be found in the ballot box (3-4)			_____
*(serial numbers need not be given)			

Signature of the Presiding Officer

Place:

Date:

[See rule 25]

Election to Standing Committee, _____ Municipal Corporation

Number of valid votes polled by the contesting candidates to the Standing Committee _____ Municipal Corporation at the election held on 20__ (year).

(to be arranged in the descending order)

[illegible]

Signature of the Commissioner

Seal

Total number of voters who cast their votes at the election

Form- XII

[See rule 27]

DECLARATION OF RESULTS**Election to Standing Committee, _____ Municipal Corporation**

I, the Commissioner, _____ Municipal Corporation hereby declare that the persons whose names are shown in the table below are elected as members of the Standing Committee, _____ Municipal Corporation

TABLE

Sl. No	Name of Candidate	No. of valid votes polled
1	2	3

Place:

Signature of Commissioner

Dated:

Seal: